

## Exhibit 5

**DECLARATION OF SAMUEL CASTOR, ESQ., IN SUPPORT OF REPLY IN  
SUPPORT OF SWITCH, LTD.'S MOTION TO COMPEL THIRD-PARTY JONES  
LANG LASALLE TO PROVIDE REQUESTED DOCUMENTS IN RESPONSE TO  
OPPOSITION FILED BY THIRD-PARTY JONES LANG LASALLE**

I, Samuel Castor, declare under penalty of perjury that the foregoing is true and correct:

1. I am Defendant Switch, Ltd.’s (“Switch”) Executive Vice President of Policy and Deputy General Counsel. I am also a counsel of record in this matter. I have knowledge of the facts stated herein and, if called to testify as a witness, I could and would competently testify as set forth below.

2. I make this Declaration in Support of Reply in Support of Switch, Ltd.'s Motion to Compel Third-Party Jones Lang LaSalle to Provide Requested Documents in Response to Opposition Filed by Third-Party Jones Lang LaSalle (ECF No. 71).

3. Objection to the subpoena was not raised by JLL until this instant motion, several months after the subpoena was propounded, and after Switch and JLL had already exchanged extensive emails on October 30, 2019, and November 4, 2019, and had several meet and confer discussions on the matter including on October 25, 2019.

4. At no time during those extensive discussions was the jurisdictional concern raised by JLL. Rather, it was not until after JLL saw the instant motion was about to be filed, that they raised the objection via correspondence.

5. Any value in the objection has been clearly waived during the months of meet and confer (and months of delay tactics and smokescreen discussion implemented by JLL). Thus, this last argument is a last-minute procedural ploy contrived to avoid *any* production in this matter and obfuscate facts that will undoubtedly enlighten the trier of fact and support Switch's claims.

/s/: Samuel Castor  
**SAMUEL CASTOR**